

## Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 6, 7, 8, 12, 16, 22, 32, 37, 38, 39, 42, and 46 have been amended. Claims 2, 3, 13, 23, 24, 33, 34, 43, and 51-60 have been canceled. Thus, claims 1, 4-12, 14-22, 25-32, 36-42, and 44-50 are pending.

### Claim Rejections – 35 U.S.C. § 112 ¶ 2 - Claims 6, 37, and 46

Claims 6, 37, and 46 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation “color brightness” has been changed to “luminance values” in each of these claims in order to overcome this rejection.

### Claim Rejections - 35 U.S.C. § 102(e) - Claims 1, 4, 7, 8, 11, 12, 14, 16-18, 21, 22, 25, and 27-29

Claims 1, 4, 7, 8, 11, 12, 14, 16-18, 21, 22, 25, and 27-29 were rejected as being anticipated by U.S. Patent Application Publication No. 2003/0210221 to Aleksic (*Aleksic*). Applicants respectfully submit that Applicants’ invention as claimed is not anticipated by *Aleksic* for at least the following reasons.

Claim 1 recites:

**modifying luminance values** corresponding to one or more portions of an image to be displayed on the display device based on the ambient light level.

Claim 12 recites similar limitations.

Claim 22 recites:

a graphics control device coupled with the ambient light sensor on the display device, the graphics control device to **modify luminance values** corresponding to one or more portions of an image and backlight intensity based on the sensed ambient light level.

The Office Action points to paragraph [0029] in *Aleksic* as disclosing, “modifying a color **brightness** of one or more portions of an image to be displayed on the display device.” See page 3. The Office Action further cites paragraphs [0012] and [0030] in *Aleksic* to show that “Aleksic clearly teaches ‘modifying . . . luminance values’ and modifying . . . luminance values corresponding to one or more portions of an image.” See page 14. Applicants respectfully disagree with these conclusions.

Paragraph [0029] in *Aleksic* discloses “color correction of [an] LCD screen” where “the color of the LCD screen may be altered to correct for . . . distortion.” Paragraph [0029] further discloses the color correction as “color constancy.” Those skilled in the art would know that “color constancy” affects **chrominance**, i.e. color information. The **chrominance**, i.e. color information, of an image is separate and distinct from the **luminance** values of an image.

Paragraph [0012] in *Aleksic* makes no mention of luminance values. Paragraph [0012] appears to disclose “brightness” in the context of “a first power to a backlight to support an LCD with a first brightness” and “a second power to the backlight, to support the LCD at a second brightness.” Thus, the brightness disclosed in paragraph [0012] refers to the backlight brightness. There is no mention made of **modifying luminance** values corresponding to one or more portions of an image.

Paragraph [0030] in *Aleksic* discloses “if a correction of color was determined in step 320 (of FIG. 3), the **color correction** can be applied to either the backlight used or to characters to be displayed on the LCD screen.” As discussed above, the **color correction**, disclosed as “color constancy,” affects **chrominance** values not **luminance** values.

Therefore, the reference fails to disclose or suggest at least one element of the claimed invention, and so fails to anticipate the invention as recited in claims 1, 12, and 22.

Claims 4, 7, 8, and 11 depend from claim 1. Claims 14, 16-18, and 21 depend from claim 12. Claims 25 and 27-29 depend from claim 22. Because dependent claims include the limitations of the claims from which they depend, applicants submit that claims 1, 4, 7, 8, 11, 12, 14, 16-18, 21, 22, 25, and 27-29 are not anticipated by *Aleksic* for at least the reasons set forth above.

Claim Rejections - 35 U.S.C. § 103(a) – Claim 6

The Office Action rejects claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Aleksic* in view of U.S. Patent Application Publication No. 2002/0154138 to Wada (*Wada*). For at least the following reasons set forth below, Applicants submit that claim 6 is not rendered obvious by *Aleksic* in view of *Wada*.

Claim 6 depends from claim 1. The limitations of claim 1 are not disclosed or suggested by *Aleksic*. The rejection of claim 6 differs from the rejection of claim 1 in that it further includes the addition of *Wada*.

*Wada* is introduced to show a variety of features, but not to show the limitations of claim 1. Accordingly, the rejection of claim 6 should be withdrawn.

Claim Rejections - 35 U.S.C. § 103(a) - Claims 5, 9, 10, 15, 19, 20, 30-32, 35-42, and 44-50

The Office Action rejects claims 5, 9, 10, 15, 19, 20, 30-32, 35-42 and 44-50 under 35 U.S.C. § 103(a) as being unpatentable over *Aleksic* in view of U.S. Patent No. 6,618,045 issued to Lin (*Lin*). For at least the following reasons set forth below, Applicants submit that claims 5, 9, 10, 15, 19, 20, 30-32, 35-42 and 44-50 are not rendered obvious by *Aleksic* in view of *Lin*.

Claim 32 recites:

**modify luminance values** of one or more portions of an image to be displayed on the display device based on the ambient light level.

Claims 42 recites:

**modify luminance values** of one or more portions of an image to be displayed on the display device based on the modified intensity of the adjustable backlight.

The Office Action cites *Aleksic* as disclosing devices which “modify . . . luminance values corresponding o one or more portions of an image to be displayed on the display device based on ambient light level.” As previously stated, *Aleksic* discloses a **color correction**, described as “color constancy,” that affects **chrominance** values **not** **luminance** values.

*Lin* is cited to disclose that “modifying color, brightness, and/or contrast can be done through any combination of software or hardware.” See page 9. However, *Lin* is not cited to cure the defects of *Aleksic*.

Therefore, the combination of *Aleksic* and *Lin* is improperly motivated to teach or suggest claims 32 and 42. Even if combined, *Aleksic* and *Lin* do not teach or suggest one or more processing devices that **modify luminance values** of one or more portions of an image to be displayed on the display device based on the modified intensity of the adjustable backlight.

Claims 35-41 depend from claim 22. Claims 44-50 depend from claim 42. Because dependent claims include the limitations of the claims from which they depend, applicants submit that *Aleksic* does not render claims 35-41 and 44-50 obvious in further view of *Lin* for at least the reasons set forth above.

Claims 5, 9, and 10 depend from claim 1. Claims 15, 19, and 20 depend from claim 12. Claims 30 and 31 depend from claim 22. As discussed above, *Aleksic* does not teach or suggest the invention as claimed in claims 1, 12, and 22 because *Aleksic* fails to disclose “modifying ... luminance values.” Therefore, the combination of *Aleksic* and *Lin* is improperly motivated to teach or suggest claims 5, 9, 10, 15, 19, 20, 30, and 31 because the combination fails to disclose modifying luminance values.

Claim Rejections - 35 U.S.C. § 103(a) – Claim 26

The Office Action rejects claim 26 under 35 U.S.C. § 103(a) as being unpatentable over *Aleksic* in view of U.S. Patent Application No. 2004/0156183 to Kim (*Kim*). For at least the following reasons set forth below, Applicants submit that claim 26 is not rendered obvious by *Aleksic* in view of *Kim*.

Claim 26 depends from claim 22. Claims 22 is shown to be patentable over *Aleksic*. The rejection of claim 26 differs from the rejection of claim 22 in that it further includes the addition of *Kim*.

*Kim* is introduced to show a variety of features, but not to show the limitations of claim 22. Accordingly, the rejection of claim 26 should be withdrawn.

Conclusion

For at least the foregoing reasons, Applicants submit that the rejections of the claims have been overcome herein, placing all pending claims in condition for allowance. Such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

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